

FILED

FEB 16 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARIA EUGENIA AYALA ROBLEDO,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-73101

Agency No. A76-369-145

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submit February 13, 2006^{**}

Before: FERNANDEZ, RYMER, and BYBEE, Circuit Judges.

Maria Eugenia Ayala Robledo, native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' decision affirming an immigration

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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judge's order denying her application for cancellation of removal. Because we lack jurisdiction, we dismiss the petition for review.

We lack jurisdiction to consider Robledo's challenge to the agency's discretionary determination that she failed to demonstrate exceptional and extremely unusual hardship to her qualifying relatives. *See* 8 U.S.C.

§ 1252(a)(2)(B)(i); *Romero-Torres v. Ashcroft*, 327 F.3d 887, 892 (9th Cir. 2003); *Montero-Martinez v. Ashcroft*, 277 F.3d 1137, 1144 (9th Cir. 2002).

Moreover, Robledo has failed to raise a colorable constitutional claim to invoke our jurisdiction over this petition for review. *See Falcon Carriche v. Ashcroft*, 350 F.3d 845 (9th Cir. 2003); *Torres-Aguilar v. INS*, 246 F.3d 1267, 1271 (9th Cir. 2001).

DISMISSED.